

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, AUGUST 1, 2001**

**C-1     CALL TO ORDER / ROLL CALL**

The City Council Closed Session meeting of August 1, 2001 was called to order by Mayor Nakanishi at 6:02 p.m.

Present: Council Members – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

Absent: Council Members – None

Also Present: Deputy City Manager Keeter, City Attorney Hays, and City Clerk Blackston

**C-2     ANNOUNCEMENT OF CLOSED SESSION**

- a)       Prospective sale of real property located at 600 S. Guild Avenue owned by City of Lodi, California (APN 049-250-62); Government Code §54956.8
- b)       Prospective acquisition of real property located at 307 W. Elm Street, Lodi, California (APN 037-270-17); the negotiating parties are City of Lodi and James E. and Carol A. Dean TR; Government Code §54956.8

**C-3     ADJOURN TO CLOSED SESSION**

At 6:02 p.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the above matters.

**C-4     RETURN TO OPEN SESSION / DISCLOSURE OF ACTION**

At 7:00 p.m., Mayor Nakanishi reconvened the City Council meeting, and City Attorney Hays disclosed the following actions.

In regard to C-2(a), the City Council directed staff regarding the sale of real property located at 600 S. Guild Avenue owned by City of Lodi, California (APN 049-250-62) .

In regard to C-2(b), the City Council directed staff regarding the acquisition of real property located at 307 W. Elm Street, Lodi, California (APN 037-270-17).

**A.     CALL TO ORDER / ROLL CALL**

The Regular City Council meeting of August 1, 2001 was called to order by Mayor Nakanishi at 7:00 p.m.

Present: Council Members – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

**B.     INVOCATION**

The invocation was given by Pastor Gene Napier, Temple Baptist Church.

**C.     PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Nakanishi.

**D.     AWARDS / PROCLAMATIONS / PRESENTATIONS**

D-1 (a) Awards – None

D-2 (a) Mayor Nakanishi presented a proclamation to Police Chief Jerry Adams, Police Volunteer Supervisor Jeanie Biskup, and Crime Prevention Officer Carla Cole proclaiming August 7, 2001 as "National Night Out" in the City of Lodi. Ms. Biskup reported that 150 neighborhood parties are planned.

- D-2 (b) Mayor Nakanishi presented a proclamation to Kianna Williamson, with the Lodi Boys and Girls Club, proclaiming Sunday, August 5, 2001 as "National Kids Day" in the City of Lodi. Sean McCartney, Executive Vice President of Operations, acknowledged Janet Keeter for serving as Chairman of the Board. He announced that August 25, from 7:00 p.m. to 11:00 p.m., is the first annual Monte Carlo night event at the Boys and Girls Club.
- D-2 (c) Mayor Nakanishi presented a proclamation to Kimberly Smith, Dietician with the Delta Health Care WIC Program, proclaiming the month of August 2001 as "Breastfeeding Awareness Month" in the City of Lodi. Ms. Smith reviewed the benefits of breastfeeding.
- D-3 (a) Parks and Recreation Director Baltz thanked Parks Supervisor Frank Pepper for his 33 years of dedicated service to the City of Lodi. Mayor Nakanishi presented a Resolution of Appreciation to Frank Pepper, retiring Parks Supervisor.
- D-3 (b) Police Chief Adams introduced to the City Council the Lodi Police SWAT Team members below in recognition for their First Place win in the Grass Valley Advanced SWAT Competition, which was held May 16 – 18, 2001.
- Lieutenant Gary Benincasa
  - Sergeant Chris Piombo
  - Corporal Chris Jacobson
  - Corporal Jose Nuno
  - Corporal Mark Clary
  - Corporal Fernando Martinez
  - Police Officer Steve Carillo
- Deputy City Manager Keeter presented Police Chief Adams with a framed portrait of the winning team members on behalf of the SWAT Team.
- D-3 (c) Theresa Yvonne, Arts Coordinator, updated the City Council on the recent activities and accomplishments of the Lodi Arts Commission (filed). She reported that the gross revenues for July classes totaled \$3,800.50.

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E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Hitchcock, Pennino second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- E-1 Claims were approved in the amount of \$6,193,037.72.
- E-2 The minutes of June 20, 2001 (Regular Meeting), June 27, 2001 (Special Meeting), July 10, 2001 (Shirtsleeve Session), and July 17, 2001 (Shirtsleeve Session) were approved as written.
- E-3 The City Council received the report of the sale of scrap metal to the high bidder, B & G Machinery, of Lodi, in the amount of \$3,609.48 for the following items:
- |                                |            |
|--------------------------------|------------|
| Insulated Aluminum             | 5,676 lbs. |
| Bare and Insulated Copper      | 3,265 lbs. |
| Insulated Al/Concentric Copper | 7,601 lbs. |
| Scrap Iron                     | 1 lot      |
- E-4 The City Council received the report of the sale of surplus equipment in the amount of \$12,527.50.
- E-5 Accepted the quarterly report of the City of Lodi pooled money investment account as required by SB564.

- E-6 Adopted Resolution No. 2001-181 authorizing the purchase of the following SWAT Team safety equipment using Asset Seizure Funds:

Protech Entry II Safety Shield & Light	\$ 1,650
Five Glock Model 35 Pistols & Lights	\$ 3,630
Precision Marksman equipment to include: Rifle Scope, Spotting Scope, Radio/Headset and miscellaneous safety equipment to outfit that Marksman/Member	<u>\$ 7,500</u>
TOTAL	\$12,780

- E-7 Adopted Resolution No. 2001-182 authorizing the purchase of one Xerox 480 high-volume copier from the Xerox Corporation, using pricing under Los Angeles County's Purchase Agreement with Xerox, for the amount of \$38,760 (two-year maintenance contract included).

- E-8 Adopted Resolution No. 2001-183 awarding the contract for White Slough Water Pollution Control Facility Adjustable Frequency Drive Replacements to Rexel-Norcal Valley Electrical Supplies, of Stockton, in the amount of \$67,560, and authorized use of Public Benefit funds for 25% of the project cost.

- E-9 Adopted Resolution No. 2001-184 awarding the contract for Mills Avenue, Vine Street, and Ham Lane Asphalt Concrete Resurfacing Project to Granite Construction, of Stockton, in the amount of \$511,105.90, and appropriated funds in accordance with staff recommendation.

- E-10 "Adopt resolution awarding contract for Towing Services for Vehicle Abatement to Plummer Towing, Lodi" was **removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.**

- E-11 Adopted Resolution No. 2001-185 awarding contracts for various items of overhead and underground distribution hardware, under a supply agreement covering Fiscal Years 2001-2003 to the low evaluated bidder in each hardware category as detailed below:

Category 1 (Wood Crossarms)	Western States Electric Portland, OR	\$ 7,449.75
Category 2 (Overhead Hardware)	Kortick Manufacturing, S.F.	\$ 19,123.39
Category 3 (Electrical Tape)	Intraline, Burlingame	\$ 3,716.49
Category 4 (Underground Hdwre)	Graybar Electric, Sacramento	\$ 3,285.20
Category 5 (Underground Hdwre)	Southwest Power, Benicia, CA	\$ 6,549.44
Category 6 (Underground Rubber Prod)	Southwest Power, Benicia, CA	<u>\$ 27,021.20</u>
	Estimated annual total	\$ 67,145.47
	Estimated two-year total	\$134,290.94

- E-12 Accepted the improvements under the "Eastside Lighting Project, Phase 3" contract.

- E-13 Adopted Resolution No. 2001-186 authorizing the City Manager to enter into a lease agreement to rent temporary office facilities for animal services at the Animal Shelter and to purchase cat cages and two exhaust fans in the total amount of \$41,000.

- E-14 "Adopt resolution approving the application to apply for grant funds for the Roberti-Z'Berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000" was **pulled from the agenda pursuant to staff's request.**

- E-15 Adopted Resolution No. 2001-187 rescinding Resolution 90-04, "Resolution Of The Lodi City Council Adopting A Use Policy For The Carnegie Forum".
- E-16 "Adopt resolution amending Traffic Resolution approving speed limit modifications on Kettleman Lane, Stockton Street, and Turner Road" was **removed from the Consent Calendar and discussed and acted upon under the Regular Calendar**.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Bob Johnson stated that he recently read in the newspaper that four Council Members are planning a nine-day trip to Japan for the purpose of promoting the wine and cherry industries. He considered the trip to be a "boondoggle" and claimed that Council Members have little knowledge of these industries. The newspaper article noted that no City funds would be used, as the Council would be soliciting sponsors or paying their own way. He felt that if it is a business trip, it should be funded from each of the Council's \$5,000 annual travel budgets; although, he believed most citizens would prefer that the Council spend the money toward business trips that would provide a more direct impact for the community. He suggested that Tony Goehring, Economic Development Coordinator, be included in the trip as well.

Mr. Johnson noted that he has served on the Parks and Recreation Commission for 15 years. Annually, the City has held a "low key" event to recognize volunteer groups and appointed members of City boards and commissions. He objected to this year's change in format to a formal dinner with a guest speaker; the increased cost; and the City not paying for volunteer's spouses. He recommended that Council return to the traditional format for future events.

In reference to Mr. Johnson's comments regarding the Japan trip, Council Member Land stated that he would be representing the Sister City Committee, on which he served as past president and has been a member for the last 15 years. He commented that he is familiar with grapes and cherries and that funding for the trip is completely aboveboard.

Mayor Nakanishi pointed out that the boards, commissions, and volunteer groups that will be represented at the recognition dinner have contributed over 40,000 hours during the past year. He felt it was appropriate to thank them with a more substantial event this year and noted that the City is staying within its protocol budget.

G. PUBLIC HEARINGS

- G-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the Public Hearing to review, adopt, and confirm the Cost Report for City Weed Abatement on properties located at 215 E. Almond Drive, Lodi, CA (APN 062-060-13); 1640 S. Stockton Street, Lodi, CA (APN 062-060-12); and 1544 S. Stockton Street, Lodi, CA (APN 062-060-04).

Verne Person, Fire Marshal, explained that each year the Fire Department conducts a sweep of vacant lots looking for weeds that pose a potential fire hazard. Notification is sent to property owners requesting that they abate the weeds. If they fail to do so, the property is posted, and property owners are given 14 days to either abate the weeds or submit a request in writing for a public hearing before the Council. If after 14 days neither of those actions occur, the Fire Department proceeds with the abatement process and the cost is billed to the property owner. Failure to pay, results in a public hearing before the Council to confirm the Cost Report as a preliminary step to placing a lien on the property. The item under consideration by Council this evening has reached this point in the process.

In response to Council Member Land, Marshal Person reported that there was a fire on the property last August, which caused damage to some of the surrounding fences and yards on the east side.

Hearing Opened to the Public

- Todd Fujinaga, attorney representing the landowner Edward Liu of Concord Development, Inc., asked when the abatement took place.

Fire Marshal Person stated the property was posted on October 10, 2000, bids for the abatement contractor were opened on October 25, and it was awarded to Baylor's Tractor Service on November 15. The abatement was delayed due to the contractor's equipment failure(s) and inclement weather conditions. The property was first disked early in 2001. Because of the delay, the weeds had grown again and were abated a second time in April 2001.

Mr. Fujinaga stated that the notice he received on October 11 indicated that the property owner had 14 days in which to abate the weeds. On October 21 the owner visited the property, and it appeared as though someone had already disked the fields.

Council Member Howard pointed out that the staff report indicates that communications began on April 14, which offered several months for the property owner to take action prior to the posting and subsequent abatement by the City's contractor.

Mr. Fujinaga acknowledged Ms. Howard's comment and stated that he did not disagree.

In reply to Council Member Hitchcock, Marshal Person stated that, although the fire burned a large percentage of weeds, some still remained along the northern section of the property. The cost for abatement was expensive because (non-producing) grapevines had to be removed. In the future, weed abatement of this property would be much less costly.

Council Member Hitchcock asked whether the property owner knew the grapevines had to be removed.

Mr. Fujinaga replied that the property owner was not aware that the grapevines had to be removed and reiterated that during the site visit on October 21, it appeared as though the majority of property had been cleared by the fire. Previous abatement estimates that the property owner obtained were for \$8,000. He objected to the timeliness of the abatement action in accordance with the 14-day notice of posting, and to the cost.

Council Member Land inquired if the property owner contacted the City when he saw that the field had burned.

Mr. Fujinaga responded that the property owner did not contact the City; however, he had received a phone call in September notifying him that there had been a fire. Mr. Fujinaga stated that if the abatement was accomplished by the fire, the property owner should not be charged \$15,000 for the weed abatement.

Public Portion of Hearing Closed

MOTION:

Mayor Pro Tempore Pennino made a motion, Howard second, to adopt Resolution No. 2001-188 entitled, "A Resolution Of The Lodi City Council Confirming The Cost Of Weed Abatement For The Year 2000 And Providing For Collection."

DISCUSSION:

Mayor Nakanishi asked whether due process was followed in this case. City Attorney Hays responded in the affirmative.

In reply to Council Member Hitchcock, Mr. Land stated that, in his opinion, when viewing the property after the fire it was apparent that there was still abatement work that needed to be done.

VOTE:

The above motion carried by a unanimous vote.

H. COMMUNICATIONS

H-1 On recommendation of the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), and Human Resources staff, the City Council, on motion of Council Member Land, Howard second, unanimously rejected the following claims:

- a) George Skatvold, date of loss 2/2/01
- b) Socorro Montelongo, date of loss 4/20/01
- c) Oma Crump, date of loss 9/5/00
- d) Estate of Frank Paul (deceased), date of loss 11/2/00

H-2 The following report was presented to the City Council:

- a) Planning Commission report of July 11, 2001

H-3 The following postings/appointments were made:

- a) The City Council, on motion of Mayor Pro Tempore Pennino, Hitchcock second, unanimously directed the City Clerk to post for the following vacancy:

San Joaquin County Emergency Food and Shelter Program

Carole Fraser Unspecified term limit

- b) The City Council, on motion of Council Member Howard, Land second, unanimously made the following reappointments/appointments to the Greater Lodi Area Youth Commission:

Greater Lodi Area Youth Commission

*Adult Advisor:*

MaryAnn Porterfield Term to expire August 30, 2004

*Student Appointees:*

Sweta Patel	Term to expire August 30, 2003
Ashkon Shaahinfar	Term to expire August 30, 2003
Michelle Gau*	Term to expire August 30, 2003
Elisabeth Newman*	Term to expire August 30, 2003
Courtney Cook*	Term to expire August 30, 2002
Katie Wagenman*	Term to expire August 30, 2002
Katherine Whitmire*	Term to expire August 30, 2002

*\*Service to be effective August 31, 2001 following term expiration of current members.*

H-4 Miscellaneous – None

RECESS

At 8:05 p.m., Mayor Nakanishi called for a recess, and the City Council meeting reconvened at 8:15 p.m.

I. REGULAR CALENDAR

I-1 "Presentation by the San Joaquin County Mosquito & Vector Control District regarding its activities, operations, and services"

Aaron Devencenzi, Community Education Specialist with the San Joaquin County Mosquito & Vector Control District, reported that the District has a 12-member board, is staffed by 29 full-time employees, and is primarily funded through property taxes. The District representative for the Lodi area is Jack Fiori. During fiscal year 1999-00 the District treated 120,000 acres of land. They provide comprehensive vector surveillance and control services to enhance the public health and quality of life for residents and

visitors of San Joaquin County. Long term goals are: 1) to utilize the most advanced administrative and operational technology available; 2) to provide stewardship for public funds by stressing efficiency in operations; 3) to encourage citizen participation in achieving its mission; 4) to educate the public regarding the health implications of disease-transmitting pests; 5) to provide services consistent with awareness and concern for environmental protection; and 6) to provide and maintain a safe and effective public health pest management program.

Mr. Devencenzi explained that vectors include organisms that can transport and transmit a parasite, including a disease-causing pathogen from one host to another (e.g. mosquitoes, ticks). Vectors also include organisms that can cause direct harm or injury by the introduction of venom (e.g. honeybees) or cause a significant annoyance to humans, such as a large number of mosquitoes or flies.

Mr. Devencenzi stated that in 1945 the Board of Supervisors created a Northern San Joaquin County Mosquito and Vector Control District for Lodi and the northern rural area. In 1955, a District was established in the southern part of the County. In 1980, through Proposition 13 and the Local Agency Formation Commission, the two Districts were merged to form the San Joaquin County Mosquito Abatement District. In 1992, the name was changed to Mosquito and Vector Control District to reflect the expansion of its mission to include other vectors (e.g. feral honeybees, ticks).

The District uses a new method of mosquito control called integrated pest management. It utilizes several different approaches to mosquito control to keep them at a defined tolerance level. They have 35 New Jersey light traps throughout the district, which are checked weekly to monitor mosquito populations and identify problem areas. An entomologist identifies, by species and sex, each mosquito caught in these traps. Twenty-three different mosquito species have been found in San Joaquin County. The District is divided into 18 different zones, and each zone has approximately 20 known mosquito sources. A state licensed mosquito control technician checks these sources on a 10-day rotation basis.

In San Joaquin County, western equine encephalitis is the primary mosquito-borne disease. Birds are the reservoir host for this disease. April through November, sentinel chicken flocks are placed throughout the county in three specific areas. When the chickens are bitten or exposed to encephalitis from a mosquito carrier, they show an antibody to the disease. Blood tests are done on the sentinel chickens every two weeks. The purpose of this process is to catch the problem before it reaches the human population. Carbon dioxide baited traps are placed in a number of different areas to check for mosquito population and also as a component to fight against disease. The District has 13 ponds located near Interstate-5 by the White Slough sewer treatment plant. These ponds can hold 5,000 pounds of mosquito fish, which are provided free to the public. Larvacides are the most cost-effective way of controlling the mosquito population, and it poses little to no threat to the environment.

The ease of world travel and increase in international trade has brought about new and exotic diseases, as well as new vector species. The africanized honey bee has moved halfway through California and is established in Kern County. The asian tiger mosquito is associated with lucky bamboo, is a potential vector of various different diseases, and has been found in California.

The District removes 50–100 outdoor, feral bee hives each year, and provides tick identification. There is no charge to the public for its services.

MOTION/ VOTE:

No action was required on this item.

- I-2 "Amend Traffic Resolution by adopting a resolution authorizing the City Manager to modify the parking restriction duration in the vicinity of Pacific Coast Producers, 32 East Tokay Street"

Public Works Director Prima reported that a residential permit program was implemented 15 years ago in an effort to resolve the parking problem east of Pacific Coast Producers. Restrictions include no parking three times a day to cover all the shifts at the cannery. Residents are offered a permit that waives their parking restriction. A few complaints have been received that it unduly burdens the residences throughout the year. There have also been suggestions that the time frame be limited to the actual peak canning season. Staff is requesting administrative flexibility to modify the parking restriction duration. The cannery is in agreement with this proposal.

Discussion ensued regarding concerns previously expressed by citizens on this issue.

**PUBLIC COMMENTS:**

- Oren Shobert stated that he lives on east Tokay Street and complained about the abundance of cars parking in front of his home for periods of time exceeding one month. He asserted that there is no parking enforcement done between 3:00 a.m. and 4:00 a.m., as is stated on the signs. He also complained of loud music being played for extended periods.
- Mr. Shobert's wife added that the cars parking in front of their home have parking stickers on them; however, they reside in the apartments across the street where she claimed four to five families are living in each apartment. A blue van parked in front of their home for four and half weeks had cobwebs under it. She stated that the cannery is not the problem, it is the residents in the area.

Council directed staff to increase parking enforcement in this area, look into the complaints of overcrowding and excessive noise, and report back on the results.

**MOTION / VOTE:**

The City Council, on motion of Mayor Pro Tempore Pennino, Hitchcock second, unanimously adopted Resolution No. 2001-189 amending Traffic Resolution No. 97-148, Section 3, by authorizing the City Manager to modify the parking restriction duration in the vicinity of Pacific Coast Producers (PCP).

- I-3 "Authorize removal of one tulip tree from the Civic Center Plaza in preparation for the All Veterans Plaza construction project"

In response to Council questions, Tim Mattheis displayed a map of the proposed All Veterans Plaza construction project and reported that due to the location of the fountain, the underground utilities, and the close proximity of the tulip tree, it would require significant redesign of the project to construct it without removing the tree. He commented that at eight public meetings he mentioned that the tulip tree needed to be removed, and he received no objections from the public. The tulip tree would be replaced by four flowering crepe myrtle trees symmetrically located around the fountain. The cost for relocating the tree is estimated at \$10,000 to \$15,000.

Council Member Hitchcock asked staff to save the tree if there is a financially feasible way of doing it.

**MOTION / VOTE:**

The City Council, on motion of Mayor Pro Tempore Pennino, Howard second, unanimously authorized the removal of one tulip tree in the Civic Center Plaza for installation of the Veterans Plaza fountain.



E-10 "Adopt resolution awarding contract for Towing Services for Vehicle Abatement to Plummer Towing, Lodi"

Council Member Howard stated that the initial contract for towing services expired several years ago. J&D Auto Body has continued to provide service to the City on a good-faith effort. J&D Auto Body purchased Stubbs Towing around April of last year. Ms. Howard wanted to ensure that J&D was recognized for continuing to provide good service. She referenced a letter in which complaints about J&D were alleged; however, J&D was not notified about the complaints until the Request for Proposals (RFP) was issued. The complaints were not defined, and it is uncertain whether they arose before or after their acquisition of Stubbs.

Community Development Director Bartlam reported that the RFP went out prior to the acquisition of Stubbs by J&D. The fact that J&D has continued to provide service to the City has been a benefit primarily to them.

Joseph Wood, Community Improvement Manager, reviewed the RFP process. He noted that needs of both the Police Partners and Community Improvement Code Enforcement division were taken into consideration. The decision was based on the number of vehicles that were available from each business. J&D has three vehicles, while Plummer Towing has ten.

Council Member Howard pointed out that Plummer Towing handles all the AAA services for Lodi, which could limit the number of vehicles it would have available for City towing needs.

Mr. Wood replied that he did not have data regarding the number of service calls J&D and Plummer Towing receive from their AAA contracts. The information was not provided nor considered as part of the RFP decision.

Mr. Bartlam explained that towing companies receive remuneration from the sale of the vehicle for dismantling purposes or from impound fees charged to the vehicle owner.

Discussion ensued regarding the drawbacks and administrative difficulties involved in rotating towing companies for service.

City Attorney Hays pointed out that J&D has a contract with AAA in Galt.

Council Member Howard noted that J&D has a number of trucks stationed in Galt for that purpose.

Mayor Pro Tempore Pennino acknowledged that he met with the owner of J&D and spoke with a representative from Plummer Towing. He concurred with staff's recommendation.

MOTION:

Mayor Pro Tempore Pennino made a motion, Land second, to adopt Resolution No. 2001-190 awarding the contract to Plummer Towing, of Lodi, to provide towing services for vehicle abatement under Lodi Municipal Code §§10.56.010 and 10.56.020.

DISCUSSION:

At the request of Mayor Nakanishi, Jeanie Biskup, Police Volunteer Coordinator, reported that immediately after J&D purchased Stubbs, there were several delays in towing. Staff emphasized the 20-minute response requirement with them and they replied that they were very limited in the number of trucks available, in addition to trucks going to Galt. She stated that J&D also had a CHP contract that took priority over City needs.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Hitchcock, Land, Pennino and Mayor Nakanishi

Noes: Council Members – Howard

Absent: Council Members – None

- E-16 “Adopt resolution amending Traffic Resolution approving speed limit modifications on Kettleman Lane, Stockton Street, and Turner Road”

Council Member Land noted that on a three-mile section of Turner Road there are speed limit signs for 25, 35, and 40 mph. Staff is now requesting an additional sign for 50 mph. He expressed his desire for more uniformity in speed limits throughout the City, as well as concern about increasing the speed limit adjacent to Katzakian Park and nearby businesses. He asked whether it was necessary to use the 85<sup>th</sup> percentile and recalled that he had posed that same question to staff approximately three years ago related to Mills Avenue.

Public Works Director Prima pointed out that the staff report for this item was corrected and resubmitted to Council (filed). The street segment of Turner Road, from the west City limits to *Lower Sacramento Road* was corrected to read “to Evergreen Drive.” Staff recommends decreasing the 55-mph portion, between the west City limits and Evergreen Drive, to 50 mph. The portion from Evergreen Drive to Lower Sacramento Road would remain at 40 mph. Speed limits, as required by law, must reflect the conditions, nature of the street, and traffic. Mr. Prima was not certain about the flexibility of using the 85<sup>th</sup> percentile and stated that he would respond back to Council Member Land with an answer. In regard to Mills Avenue, Mr. Prima explained that staff plans to conduct a survey once repaving and bike lanes are completed.

Mayor Pro Tempore Pennino noted that it appeared unnecessary to install a 55-mph sign for such a short distance, particularly when the street already has a an “end 40 mph” sign.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Land second, unanimously adopted Resolution No. 2001-191 amending Traffic Resolution No. 97-148 by approving the speed limit modifications on portions of Kettleman Lane, Stockton Street, and Turner Road, with the correction of the street segment of “Turner Road, from the west City limits to *Evergreen Drive*.”

J. ORDINANCES

None.

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Howard thanked Ms. Keeter for filling in for the City Manager during his absence. She acknowledged the Fire Department's recent successful fund-raising event for the Muscular Dystrophy Association. They collected nearly \$10,000 and will provide Council with a presentation on August 15. Ms. Howard commented that last Saturday, she and her husband attended a concert in Bear Valley. Glen Campbell introduced his drummer who happened to live in Lodi, and the audience applause was more exuberant than for any other city represented.
- Council Member Land reported that he and Ms. Howard met with Assemblymember Anthony Pescetti this morning and discussed electricity deregulation, abandoned vehicle tax on registrations, \$4 million in funding for the Lodi Police building, and rail service.
- Council Member Howard added that they also discussed the issues of paramedics in the Fire Department, and the water and wastewater outlook for the local area, and state as a whole.

*Continued August 1, 2001*

- Council Member Hitchcock stated that many months ago Dr. Bradshaw and other local dentists expressed an interest in providing Council with a presentation at a future Shirtsleeve Session on fluoridating the City's water supply. Ms. Hitchcock was told that Dr. Bradshaw was notified that it had been scheduled; however, she discovered yesterday that he had not.

Deputy City Manager Keeter responded that it has been scheduled for September 11.

Council Member Hitchcock asked the City Clerk to ensure Dr. Bradshaw is notified. She also commented that a letter addressed to the Council was received by Dale Gillespie of G-REM who wrote, "I can tell you without question that Lodi's Community Development, Economic Development, City Manager's Department, and Public Works staff is the best I have ever worked with bar none."

- In reference to Item E-4, Mayor Pro Tempore Pennino recommended that staff look at the possibility of contracting with a local used car dealership to sell the City's surplus vehicles. If they are not sold in one or two months, then sell them at auction. He commented on the small amount of money obtained when they are sold at auction.
- The City Council, on motion of Mayor Pro Tempore Pennino, Land second, voted to reconsider at the August 15, 2001 Council meeting the agenda item entitled, "Adopt resolution approving the Joint Powers Agreement, authorizing the imposition of a one-dollar vehicle registration fee and the establishment of a Service Authority for abandoned vehicle abatement, and appointing a Council representative to the San Joaquin County Abandoned Vehicle Abatement Service Authority," which was originally considered at the July 18, 2001 City Council meeting. The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Howard, Land and Pennino

Noes: Council Members – Mayor Nakanishi

Absent: Council Members – None

- Mayor Nakanishi reminded the Council and public that a special Town Hall meeting has been scheduled for August 29, at 7:00 p.m. to review electric, water, and wastewater rates and to discuss reverse frontage walls.

L. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 9:37 p.m.

ATTEST:

Susan J. Blackston  
City Clerk